

**Maine Revised Statutes**  
**Title 24-A: MAINE INSURANCE CODE**  
**Chapter 54-A: MAINE GUARANTEED**  
**ACCESS REINSURANCE ASSOCIATION ACT**

**§3961. REIMBURSEMENT OF MEMBER INSURER**

**1. Reimbursement.** A member insurer may seek reimbursement from the association and the association shall reimburse the member insurer with respect to a person insured through a member insurer's closed book of business to the extent claims made by a covered person are eligible for reimbursement pursuant to section 3958, subsection 1, paragraph A, if:

A. The covered person is insured under a policy sold on or after December 1, 1993 and in force as of July 1, 2012, and the member insurer has closed its book of business for individual health plans sold between December 1, 1993 and July 1, 2012; [ 2011, c. 621, §7 (AMD) . ]

B. The member insurer is able to determine through the use of individual health statements, claims history, risk scores or any reasonable means that the covered person currently qualifies for designation by the member insurer pursuant to section 3959, subsection 1; and [ 2011, c. 621, §7 (AMD) . ]

C. The member insurer seeks to designate the covered person for reimbursement from the association by October 1, 2012. [ 2011, c. 621, §7 (NEW) . ]

This subsection applies only to the individual health plans described and is not intended to limit the ability of a member insurer to designate a covered person for reinsurance pursuant to section 3959.

[ 2011, c. 621, §7 (AMD) . ]

**1-A. Premium.** A member insurer seeking reimbursement under subsection 1 is liable to the association for reinsurance premium rates determined in accordance with section 3958, subsection 2.

[ 2011, c. 621, §8 (NEW) . ]

**2. Rules.** The superintendent may adopt rules to facilitate payment to a member insurer pursuant to this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[ 2011, c. 90, Pt. B, §8 (NEW) . ]

**SECTION HISTORY**

2011, c. 90, Pt. B, §8 (NEW). 2011, c. 621, §§7, 8 (AMD).

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